

11-30-04

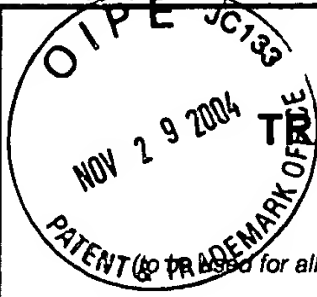
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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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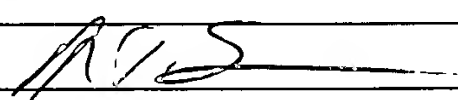
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 TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/883,120
	Filing Date	6/15/2001
	First Named Inventor	Keith C. Bentley
	Group Art Unit	2126
	Examiner Name	LECHI TRUONG
Total Number of Pages in This Submission	Attorney Docket Number	MS1.0756US

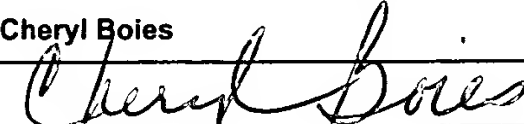
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (<i>please identify below</i>): <i>Form PTO-1449; reference copies (8); return receipt postcard</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

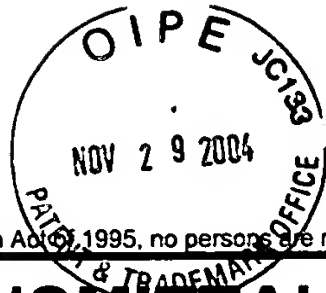
Firm or Individual Name	Allan T. Sponseller, Reg. No. 38318
Signature	
Date	November 29, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Cheryl Boies	
Signature		Date 11-29-2004

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PTO/SB/12(10-94)

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number 09/883,120
Filing Date 6/15/2001
First Named Inventor Keith C. Bentley
Examiner Name LECHI TRUONG
Art Unit 2126
Attorney Docket No. MS1-756US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 12-0769

Deposit Account Name Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description
1001	2001	790	Utility filing fee
1002	2002	350	Design filing fee
1003	2003	550	Plant filing fee
1004	2004	790	Reissue filing fee
1005	2005	160	Provisional filing fee

SUBTOTAL (1)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid	
-20	=	x 18	=	
Indep. Claims	-3	=	x 88	=
Multiple Dependent			=	

Large Entity Small Entity

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description
1202	2202	18	Claims in excess of 20
1201	2201	88	Independent claims in excess of 3
1203	2203	300	Multiple dependent claim, if not paid
1204	2204	88	** Reissue independent claims over original patent
1205	2205	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description
1051	2051	130	65 Surcharge - late filing fee or oath
1052	2052	50	25 Surcharge - late provisional filing fee or cover sheet
1053	1053	130	130 Non-English specification
1812	1812	2,520	2,520 For filing a request for ex parte reexamination
1804	1804	920*	920* Requesting publication of SIR prior to Examination action
1805	1805	1,840*	1,840* Requesting publication of SIR after Examiner action
1251	2251	110	55 Extension for reply within first month
1252	2252	430	215 Extension for reply within second month
1253	2253	980	490 Extension for reply within third month
1254	2254	1,530	765 Extension for reply within fourth month
1255	2255	2,080	1,040 Extension for reply within fifth month
1401	2401	340	170 Notice of Appeal
1402	2402	340	170 Filing a brief in support of an appeal
1403	2403	300	150 Request for oral hearing
1451	1451	1,510	1,510 Petition to institute a public use proceeding
1452	2452	110	55 Petition to revive - unavoidable
1453	2453	1,330	665 Petition to revive - unintentional
1501	2501	1,370	685 Utility issue fee (or reissue)
1502	2502	490	245 Design issue fee
1503	2503	660	330 Plant issue fee
1460	1460	130	130 Petitions to the Commissioner
1807	1807	50	50 Processing fee under 37 CFR 1.17(q)
1806	1806	180	180 Submission of Information Disclosure Stmt
8021	8021	40	40 Recording each patent assignment per property (times number of properties)
1809	2809	790	395 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	790	395 For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	790	395 Request for Continued Examination (RCE)
1802	1802	900	900 Request for expedited examination of a design application.

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

180.00

SUBMITTED BY

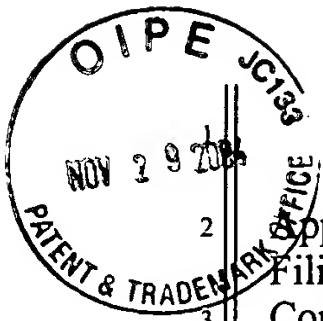
Complete (if applicable)

Name (Print/Type)	Allan T. Sponseller	Registration No. (Attorney/Agent)	38318	Telephone	509-324-9256
Signature		Date	11/29/04		

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EV546076962

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Application Serial No.....09/883,120
3 Filing Date.....6/15/2001
4 Confirmation No.8205
5 Inventorship.....Keith C. Bentley
6 ApplicantMicrosoft Corporation
7 Group Art Unit2126
8 ExaminerLECHI TRUONG
9 Attorney's Docket No.MS1-756US
10 Title: System And Method For Building A Target Operating System From A
11 Source Operating System

INFORMATION DISCLOSURE STATEMENT

References – See Attached Form PTO-1449

10 To: Commissioner for Patents
11 PO Box 1450
12 Alexandria, VA 22313-1450

13 From: Allan T. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)
14 Lee & Hayes, PLLC
15 421 W. Riverside Avenue, Suite 500
16 Spokane, WA 99201

17 The attached form PTO-1449 is submitted in compliance with Applicant's duty of
18 disclosure under 37 CFR §1.56. The Examiner is requested to make these citations of
19 official record in this application.

20 The Commissioner is hereby authorized to charge payment of fees or credit
21 overpayments to Deposit Account No. 12-0769 as set forth in 37 CFR §1.17(p).

22 Dated: 11/29/04

By: 

Allan T. Sponseller
Reg. No. 38318

12/01/2004 EAREGAY1 00000024 120769 09083120

01 FC:1806 25 180.00 DA



PTO/SB/08A (08-03)

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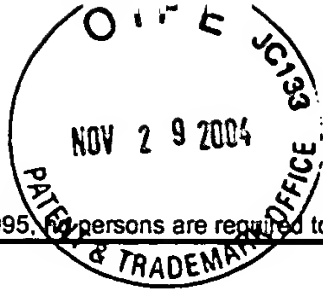
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ^o
		Country Code ³ —Number ⁴ —Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/883,120
				Filing Date	6/15/2001
				First Named Inventor	Keith C. Bentley
				Group Art Unit	2126
				Examiner Name	LECHI TRUONG
Sheet	2	of	2	Attorney Docket Number	MS1-756US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Benso et al., A software development kit for dependable applications in embedded systems, 3-5 Oct. 2000, IEEE, Pages: 170-178	
		Kiczales et al., The need for customizable operating systems, 14-15 Oct. 1993, IEEE, Pages: 165-169	
		Loucks et al., A microkernel-based operating system for personal digital assistants, 14-15 Oct. 1993, IEEE, Pages: 9-13	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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